

RECESSED COUNCIL MEETING

A G E N D A

TOWN OF CHINCOTEAGUE

June 15, 2006 - 7:30 P.M. - Council Chambers - Town Hall

CALL TO ORDER

INVOCATION BY COUNCILMAN HOWARD

PLEDGE OF ALLEGIANCE

AGENDA ADDITIONS/DELETIONS AND ADOPTION:

1. Consider Adoption of the Minutes of the May 31, 2006, Recessed Meeting (pg. 1)
2. Resolution in Honor of the Late Earl Stephens, Former Councilman (pg. 3)
3. Banking Resolution (pg. 4)
4. Public Participation

OLD BUSINESS

5. Consider Adoption of the Fiscal Year 2007 Budget (pg. 9)
6. Consider Adoption of the State Motor Vehicle Code (pg. 12)
7. Consider the Creation of a New Appointed Position (Deputy Attorney) (pg. 14)

NEW BUSINESS

8. Discussion on the Fact Sheet Produced by NASA Public Affairs Office (pg. 17)
9. Mayor & Council Announcements or Comments

ADJOURN:

MINUTES OF THE MAY 31, 2006
CHINCOTEAGUE TOWN COUNCIL RECESSED MEETING

Council Members Present:

John H. Tarr, Mayor
Nancy B. Conklin, Vice Mayor
Terry Howard, Councilman
Ronald Mason, Councilman
E. David Ross, Councilman
Glenn B. Wolffe, Councilman

Council Members Absent:

Ellen W. Richardson, Councilwoman

Planning Commission Members Present:

Raymond Rosenberger, Chairman
Jane Wolffe
Robert Behr

1. *Call to Order.*

Mayor Tarr called the meeting to order at 7:30 p.m.

2. *Invocation.*

Councilman Ross offered the Invocation.

3. *Pledge of Allegiance.*

Mayor Tarr led the Pledge of Allegiance.

4. *Redman/Johnston Presentation.*

Mr. Peter Johnston and Mr. Tony Redman presented Council, the Planning Commission members and the public with their ideas regarding several recent planning issues within the Town. Mr. Redman reviewed the highlights from the previous visioning session that was held. Mr. Johnston explained the division of the Island into different districts and the purpose for doing such. He further explained the objectives and characteristics of each district.

Councilman Wolffe asked for clarification and additional information regarding the development of the waterfront areas along Main Street. Councilman Mason asked what a 'floating zone' is. Mr. Johnston explained that it is defined in the ordinance as 'a zone that is applicable to certain land and certain districts exhibiting certain characteristics'.

Mr. Johnston recommended having information regarding the planning issues available to the public prior to holding the public meeting. He also recommended having a questionnaire asking the public what type of development they want to see in certain districts.

There was a lengthy discussion regarding the future vision of the downtown area, including the issue of parking.

Councilman Howard stated that he felt it was important to hear public input and comments before forming a vision plan amongst Council. Mr. Johnston reiterated that the upcoming public meeting will not be a public hearing to vote on what Council has

already decided upon, but rather a public workshop to receive public input and comments in order to form a vision plan.

Councilman Wolffe stated that he felt it was very important to do something now regarding the direction of current development. He asked Mr. Johnston and Mr. Redman if it would be feasible for them to help Council with a means of establishing a temporary zoning ordinance to slow this type of development while the planning process that they have presented above continues. Mayor Tarr recommended that the public be asked if they think a temporary zoning ordinance [to slow or stop multi-family buildings in commercial areas] should be enacted until the zoning ordinance has been completed.

5. *Other Matters.*

Mayor Tarr announced that the public meeting on these planning issues will be on June 28 and 29, 2006 at 7:00 pm. Mr. Johnston recommended that the Main Street waterfront areas be discussed at the June 28th meeting.

6. *Adjournment of Meeting.*

Mayor Tarr announced that the next meeting will be on June 5, 2006 at 7:30 pm. Councilman Howard motioned, seconded by Councilman Wolffe, to adjourn the meeting. The motion was unanimously approved.

Mayor

Acting Town Manager

To: Mayor & Council

From: Robert G. Ritter Jr., Town Manager

Date: June 9, 2006

Subject: Fiscal Year 2007 Budget

The budget for FY 2007 has been properly advertised and the mandatory public hearing was conducted at the June 5, 2006, Council meeting.

Council is respectfully requested to consider making a motion to “adopt the budget for fiscal year 2007 and appropriate the funds for disbursement”.

To: Mayor & Council

From: Robert G. Ritter Jr., Town Manager

Date: June 9, 2006

Subject: Re-adoption of State Motor Vehicle Code

Each year, Council is asked to consider the re-adoption of Title 46.2 and 18.2-266 et seq of the Code of Virginia. This practice permits all changes and updates in the State Code relevant to the traffic and vehicle code to be enforced by our Police Department. Section 58-2 of the Town Code which enables this re-adoption is attached.

Council is respectfully requested to consider a motion to re-adopt Title 46.2, Title 18.2-266 and section 58-2 as amended

Sec. 58-2. Adoption of state law; former provisions.

(a) Pursuant to the authority of Code of Virginia, § 46.2-1313, all of the provisions and requirements of the laws of the Commonwealth contained in Code of Virginia, title 46.2 and in Code of Virginia, § 18.2-266 et seq. in effect, **July 1, 2006**, except those provisions which are contained elsewhere in this chapter and except those provisions and requirements the violation of which constitute a felony and except those provisions and requirements which by their very nature can have no application to or within the town, are adopted and incorporated in this chapter by reference and made applicable within the town. References to “highways of the state” contained in such provisions and requirements adopted in this subsection shall be deemed to refer to the streets, highways and other public ways within the town. Such provisions and requirements hereby adopted, mutatis mutandis, are made a part of this chapter as fully as though set forth at length in this chapter, and it shall be unlawful for any person within the town to violate or fail, neglect or refuse to comply with any provision of Code of Virginia, title 46.2 or of Code of Virginia, § 18.2-266 et seq., which is adopted by this section, provided that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under Code of Virginia, title 46.2 or under Code of Virginia, § 18.2-266 et seq.

(b) The provisions of this section, as readopted, shall be effective as of its adoption. As of such effective date, such re-adoption shall replace former section 58-2 as it existed prior to the effective date of re-adoption, provided that such repeal shall not affect any act or offense done or committed or any penalty or forfeiture incurred or any right established or suit or action pending on that day. Except as otherwise provided, neither the repeal of section 58-2 nor the enactment of this re-adoption shall apply to offenses committed prior to the effective date of this section, and prosecution for such offense shall be governed by prior law, which is continued in effect for that purpose.

(Code 1977, § 11-1; Ord. of 6-21-2001; Readopted 6-3-02, 6-2-03, 7-6-04, 6-16-05)

To: Mayor & Council

From: Robert G. Ritter Jr., Town Manager

Date: June 9, 2006

Subject: Creation of a new Mayor & Council Appointed Position (Deputy Attorney)

A newly created Mayor & Council appointed Deputy Attorney position would only be called upon during times in which the Town Attorney is absent from the area (i.e. vacation and other related matters) or such items the Mayor & Council determined to be a conflict of interest.

Staff has looked into all Attorneys through out the area and has only received a response from Turner & Turner Attorneys at Law. Ms. Cela Burge is a licensed attorney in Virginia and has done work for the Town of Chincoteague in the past with an opinion on our water rates and fee structure.

If it is Councils desire to go forward with a newly created position of Deputy Attorney, staff would recommend Ms. Cela Burge from the Eastville Virginia Office.